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9 **UNITED STATES DISTRICT COURT**

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11 **DISTRICT OF NEVADA**

12 UNITED STATES OF AMERICA,
13 Plaintiff,
14 v.
15 ERIC LAMONT WILLOUGHBY,
16 Defendant.

Case No. 2:09-CR-185-JAD-CWH

STIPULATION TO CONTINUE HEARING
ON MOTION FOR EARLY
TERMINATION
(First Request)

17 IT IS HEARBY STIPULATED AND AGREED, by and between Daniel G. Bogden, United
18 States Attorney, and Crane M. Pomerantz, Assistant United States Attorney, counsel for the United
19 Stated of America, and Rene L. Valladares, Federal Public Defender, and Monique Kirtley, Assistant
20 Federal Public Defender, counsel for Eric Lamont Willoughby, that the motion hearing currently
21 scheduled for September 15, 2015 at, 10:00 am be vacated and set to a date and time convenient to this
22 court but no sooner than fourteen (14) days .

23 The Stipulation is entered into for the following reasons:

24 1. The client is not in custody and does not oppose the continuance.

1 2. Defense counsel will be out of the jurisdiction on the date currently set.

2 3. The additional time requested herein is not sought for purposes of delay, but merely to
3 allow counsel for the defendant sufficient time to review and possibly reply to Government's Response
4 (CR#346), as well as to return to the district in order to appear.

5 4. Denial of this request for continuance would deny counsel for the defendant sufficient
6 time to effectively reply, taking into account the exercise of due diligence.

7 5. Additionally, denial of this request for continuance could result in a miscarriage of
8 justice. T

9 6. This is the First stipulation to continue filed herein.

15 DATED: September 14, 2015

17 RENE L. VALLADARES
18 Federal Public Defender

17 DANIEL G. BOGDEN
18 United States Attorney

19 By /s/ Monique Kirtley
20 MONIQUE KIRTLEY
21 Assistant Federal Public Defender

19 By /s/ Crane M. Pomerantz
20 CRANE M. POMERANTZ
21 Assistant United States Attorney

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

V.

ERIC LAMONT WILLOUGHBY,

Defendant.

Case No. 2:09-CR-185-JAD-CWH

ORDER

ORDER

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that the best interest of justice is served by the granting of the continuance.

IT IS THEREFORE ORDERED that the motion hearing currently scheduled on Tuesday September 15, 2015 at the hour of 10:00 a.m., be vacated and continued to Tuesday, September 29, 2015, at 10:00 a.m.

DATED this 14th day of September, 2015.


Dwyer